

**GILMAN AND PASTOR, LLP**

**ATTORNEYS AT LAW**

225 FRANKLIN STREET

16TH FLOOR

BOSTON, MA 02110

TELEPHONE: 617/742-9700

FACSIMILE: 617/742-9701

WWW.GILMANPASTOR.COM

May 15, 2007

Via Electronic Filing and Hand Delivery

The Honorable Patti B. Saris  
United States District Judge  
District of Massachusetts  
1 Courthouse Way  
Boston, Massachusetts 02210

Re: *Bobbit v. Filopowski*  
04 CV 12263 (PBS)

Dear Judge Saris:

I am liaison counsel for plaintiffs in the above referenced action. I am writing to the Court to request that the Court adjourn the status conference previously scheduled before this Court on Wednesday, May 16, 2007 at 3:30 p.m. Defendants join in this request.

Plaintiffs, in their letter dated April 2, 2007, informed the Court that Judge Feeney of the United States Bankruptcy Court, District of Massachusetts, had approved the use of insurance proceeds to fund the proposed settlement as required under the terms of the settlement preliminarily approved by this Court. However, soon after, the Trustee in the bankruptcy proceeding appealed, thus preventing the decision of the bankruptcy Court from becoming "final." Since that time, the parties in this action and the Trustee have been engaged in discussions to resolve their differences. Plaintiffs believe we are very close to resolving those issues which will permit the settlement of this action to go forward. Because the anticipated resolution will require the plaintiffs to cede some small portion of the \$6.5 million settlement amount, plaintiffs will need to submit amended settlement papers to this Court for approval.

In light of the above, a status conference at this time will not be an efficient use of the

The Honorable Patti B. Saris  
May 15, 2007  
Page 2

Court's time and resources. Plaintiffs therefore respectfully request that this Court adjourn the status conference for approximately one month, which plaintiffs estimate will be a sufficient amount of time to permit final agreement with the Trustee and revision of the settlement documents, thus enabling the settlement to go forward towards final approval.

Respectfully submitted,



David Pastor

cc: All counsel (via electronic filing)